

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PATRICIA CHAPMAN, §
Plaintiff, §
v. § Case No. 6:21-cv-294-JDK-JDL
COMMISSIONER OF SOCIAL §
SECURITY, §
Defendant. §

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Patricia Chapman filed this case for judicial review of the Commissioner of Social Security's denial of Plaintiff's application for Social Security benefits. On December 8, 2021, the Court reversed the Commissioner's final administrative decision and remanded the case to the Commissioner for further administrative proceedings. Docket No. 10. Thereafter, the Commissioner issued a fully favorable finding. Docket No. 18, Ex. A. On December 19, 2023, Mr. Ronald Honig, attorney for Plaintiff, filed a petition for attorney's fees pursuant to 42 U.S.C. § 406(b). Docket No. 22. The petition was referred to United States Magistrate Judge John D. Love for a recommendation on disposition. Docket No. 23.

On January 5, 2024, Judge Love issued a report recommending that the Court grant the petition for attorney's fees. Docket No. 24. No objections to the report have been filed.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, no party objected in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 24) as the findings of this Court and **GRANTS** the petition for attorney's fees (Docket No. 22). The Commissioner shall pay the requested § 406(b) fee award to Plaintiff's counsel in the amount of \$10,506.97.

So **ORDERED** and **SIGNED** this 31st day of **January, 2024**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE